



10/21/2024

CT Log Number 547590793

Service of Process Transmittal Summary

TO: KIM LUNDY- EMAIL
Walmart Inc.
GLOBAL GOVERNANCE/CENTRAL INTAKE, 2914 SE I STREET MS#0200
BENTONVILLE, AR 72712-3148

RE: Process Served in Texas

FOR: Sam's East, Inc. (Domestic State: AR)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: REYES VERONICA, INDIVIDUALLY AND A/N/F OF D.A., A MINOR // To: Sam's East, Inc.

DOCUMENT(S) SERVED: Original Petition Citation, Return, Original Petition, Certificate

COURT/AGENCY: Harris County Civil Court at Law 1, TX
Case # 1236666

NATURE OF ACTION: Personal Injury - 05/03/2022, SAM'S CLUB #8244 (No address given in document)

PROCESS SERVED ON: C T Corporation System, Dallas, TX

DATE/METHOD OF SERVICE: By Traceable Mail on 10/21/2024 postmarked on 10/18/2024

JURISDICTION SERVED: Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next following the expiration of 20 days after service
(Document(s) may contain additional answer dates)

ATTORNEY(S)/SENDER(S): Richard Pilcher Hill
Crockett Law, PC
2501 A Central Parkway, Suite A-11
Houston, TX 77092
281-953-1180

ACTION ITEMS: CT has retained the current log, Retain Date: 10/22/2024, Expected Purge Date:
10/27/2024

Image SOP

REGISTERED AGENT CONTACT: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT



Wolters Kluwer

CT Corporation
Service of Process Notification

10/21/2024

CT Log Number 547590793

disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

18 OCT 2024PM 3



quadiant

FIRST-CLASS MAIL
IMI

\$000.97⁹

10/17/2024 ZIP 78669
043M31247266

US POSTAGE

DO NOT FORWARD

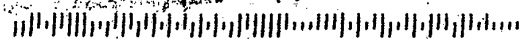
RESTRICTED
DELIVERY

RESTRICTED
DELIVERY

DO NOT FORWARD

DO NOT FORWARD

75201-914025



103 Vista View Trail
Spicewood, TX 78669

USPS CERTIFIED MAIL



9236 0901 9403 8383 1456 31

SAM'S EAST INC D/B/A SAM'S CLUB #8244
C/O: REGISTERED AGENT CT CORPORATION SYSTEM
STE 900
1999 BRYAN ST
DALLAS TX 75201-3140

Return Ref#: A24A03511

Postage: \$16.6200



OFFICE OF TENESHIA HUDSPETH
COUNTY CLERK, HARRIS COUNTY, TEXAS
COUNTY CIVIL COURTS DEPARTMENT

Docket Number: 1236666
Receipt Number: Date: Sheriff/Constable Fee:

VERONICA REYES, ET AL
Plaintiff
VS.
SAM'S EAST, INC., ET AL
Defendant

In The County Civil Court at Law No. 1
201 Caroline, Suite 500
Houston, Tx 77002

THE STATE OF TEXAS
PLAINTIFF'S ORIGINAL PETITION CITATION

To: SAM'S EAST, INC. D/B/A SAM'S CLUB # 8244
C/O REGISTERED AGENT: CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201

Attached is a copy of petition.

This instrument was filed on the 4th day of October, 2024, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the county clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Issued and given under my hand and the seal of said court, at Houston, Texas, on this 7th day of October, 2024

(Seal)

Teneshia Hudspeth, County Clerk
County Civil Court at Law No. 1
201 Caroline, Suite 300
Harris County, Texas 77002

Diamonique Kelley-Clewis
DIAMONIQUE KELLEY-CLEWIS

Diamonique Kelley-Clewis
Deputy County Clerk

Requested
By:

RICHARD PILCHER HILL
CROCKETT LAW PC
2501A CENTARL PARKWAY SUITE A-11
HOUSTON TX 77092

Delivered This Day

OCT 17 2024

P.O. Box 1525 • Houston, TX 77251-1525 • (713) 274-1374

OFFICER'S RETURN

Came to hand on _____, at _____ o'clock __M. and

executed in _____ County, Texas, by delivering to each of the within named Defendants, in person, a true copy of this Citation together with the accompanying copy of the Plaintiff's petition, at the following time and places to-wit:

NAME	DATE			TIME	PLACE OR ADDRESS OF SERVICE
	Month	Day	Year	Hour / Min. - AM/PM	

and not executed as to the Defendant _____

the diligence used in finding said Defendant, being _____

and the cause of failure to execute this process is: _____

and the information received as to the whereabouts of the said Defendant, being: _____

_____ (Sheriff)

(Authorized Person) _____ (Constable)
Sworn to and subscribed before me this _____ day _____ County, Texas

of _____

By _____, Deputy

(Notary Public)

RETURN FOR NOTICE TO SERVE NON-RESIDENT DEFENDANT

STATE OF _____ §

COUNTY OF _____ §

Before me, the undersigned authority, personally appeared _____,

a person competent to make oath, and who by me being duly sworn, deposes and says; that this notice came to hand on _____

_____, at _____ o'clock A.M./P.M., and executed by delivering

to defendant, _____, in person, at _____

in _____, County _____, State of _____

_____, on _____, at _____ o'clock

A.M./P.M., a true copy of the notice, with a copy of plaintiff's petition attached thereto. He further says that he is in no manner interested in this Suit.

Sworn to and subscribed before me,

_____ (Sheriff)

(Constable)

_____, County,

State of _____

By _____, Deputy

Harris County - County Civil Court at Law No. 1

10/4/2024 2:50 PM
Teneshia Hudspeth
County Clerk
Harris County

CAUSE NO. 1236666

**VERONICA REYES, INDIVIDUALLY
AND A/N/F OF D.A., A MINOR,
*Plaintiff,***

VS.

**SAM'S EAST, INC. d/b/a SAM'S CLUB
#8244,
*Defendant.***

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§

IN COUNTY CIVIL COURT

AT LAW NO. _____

HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **VERONICA REYES, INDIVIDUALLY AND A/N/F OF D.A., A MINOR**, hereinafter referred to as "Plaintiff," and files this her Original Petition complaining of **SAM'S EAST, INC. d/b/a SAM'S CLUB #8244**, hereinafter referred to as "Defendant" and for cause of action would respectfully show the Court as follows:

I.

DISCOVERY LEVEL

Pursuant to Rule 190.3 of the Texas Rules of Civil Procedure, Plaintiff alleges that discovery in this case should be conducted under Level 2.

II.

PARTIES

Plaintiff, **VERONICA REYES, INDIVIDUALLY AND A/N/F OF D.A., A MINOR** is an individual residing in Harris County, Texas.

Defendant **SAM'S EAST, INC. d/b/a SAM'S CLUB #8244** is a Warehouse store doing business in the State of Texas and may be served through its registered agent: CT Corporation

System, 1999 Bryan St, Suite 900, Dallas, Texas 75201. Citation and service by Certified Mail Return Receipt is requested at this time.

Plaintiff specifically invokes the right to institute this suit against whatever entity was conducting business using the assumed or common names of "Sam's Club," with regard to the events described in this Petition. Plaintiff expressly invokes her right under Rule 28 of the Texas Rules of Civil Procedure to have the true name of this party substituted at a later time upon the motion of any party or of the Court.

III.

VENUE AND JURISDICTION

This court has jurisdiction in this cause since the damages to Plaintiff exceed the minimum jurisdictional limits of this Court. Venue is proper in Harris County, Texas, because it is the county in which all or a substantial part of the events and/or omissions giving rise to the claim occurred. TEX. CIV. PRAC. & REM. CODE § 15.002 (a)(2) and § 15.005.

IV.

FACTS

On or about May 3, 2022, VERONICA REYES, INDIVIDUALLY AND A/N/F OF D.A., A MINOR was an invitee in SAM'S EAST, INC. d/b/a SAM'S CLUB #8244's store. The premises were owned, occupied, operated, managed and/or controlled by Defendant. While in the store, Defendant failed to remove a dangerous condition and as a result, the minor Plaintiff was injured. Specifically, Defendant's employees left an exposed pallet on the floor. Minor Plaintiff attempted to retrieve a product and unintentionally stepped on the pallet causing the pallet to shift and causing minor Plaintiff to fall and suffer injuries.

As a result of Defendant's negligence, Minor Plaintiff suffered permanent and debilitating injuries. Specifically, Defendant knew or should of known of a dangerous condition on its premises

and timely removed, cleaned/cleared up the dangerous condition immediately.

V.

NEGLIGENCE AND PREMISES LIABILITY

At the time and on the occasion in question, Defendant failed to use ordinary care as would have been done by a reasonable prudent owner/operator of a premises under the same or similar circumstances, including but not limited to:

- a. Failing to maintain the premises in a safe manner;
- b. Failing to train employees to safely do their jobs;
- c. Failing to adequately supervise employees;
- d. Failing to develop policies and procedures for the protection and safety of invitees;
- e. Failing to enforce company safety policies and procedures for protection of invitees;
- f. Failing to comply with recognized safety rules, policies, procedures and industry standards;
- g. Creating and leaving a dangerous condition on the property where it was foreseeable that a someone could be injured;
- h. Failing to recognize, clean up and remedy the dangerous condition;
- i. Failing to put a barrier up between Plaintiff and the unreasonably dangerous condition;
- j. Failing to adequately warn of the unreasonably dangerous condition;
- k. Failing to take preventative measures to prevent unnecessary injuries; and
- l. Other acts deemed negligent.

The above acts, errors and omissions of Defendant and those of their agents, servants and employees constituted negligence. At all relevant times, Defendant's agents, servants and employees were acting in the course and scope of their employment with Defendant. Defendant is therefore vicariously liable for all acts of its employees, agents and representatives under the theory of

respondeat superior. Such negligence caused Plaintiff to sustain significant injuries for which she now sues. Each and all of the above and foregoing constitute negligence, either singularly or in combination, and were all proximate causes of the injuries in question to VERONICA REYES, INDIVIDUALLY AND A/N/F OF D.A., A MINOR.

Further, Defendant was actually and subjectively aware of this risk, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of its employees. This conduct constitutes gross negligence as that term is defined in section 41.001(11) of the Texas Civil practice & Remedies Code. Plaintiff would show that such gross negligence proximately caused damages to Plaintiff more fully described below and therefore entitles Plaintiff to the recovery of exemplary damages under Chapter 41 of the Texas Civil Practices & Remedies Code. All conditions precedent to Plaintiff's cause of action have been performed or have occurred.

VI.

NEGLIGENT UNDERTAKING

Defendant agreed, based on the nature of their business, to comply with recognized federal, state, and local rules, policies, safety guidelines and industry standards in the operation of their business. Defendant were also aware that they had to hire and train competent and qualified employees, as well as supervise same. Defendant was further aware that the work and duties performed by the employees would need to meet those same standards. Defendant undertook these actions with knowledge that it was necessary for Plaintiff's protection. After having undertaken such a task, Defendant failed to exercise reasonable care in performing the undertaking. Plaintiff relied on Defendant undertaking and Defendant's performance of the undertaking increased the Plaintiff's risk of harm. As a direct and proximate result of Defendant's negligence in undertaking policies and procedures to properly maintain the floors, Plaintiff suffered injuries. Defendant is therefore liable for negligent undertaking. Each of the foregoing acts and/or omissions of

Defendant, singularly or in combination, constitute negligence and were a proximate cause of Plaintiff's injuries and damages.

VII.

DAMAGES

As a result of the Defendant's negligence made the basis of this lawsuit, Plaintiff suffered permanent and debilitating injuries. Pursuant to chapter 47, Plaintiff pleads the maximum damages sought are worth \$75,000 or less. As a direct and proximate result of Defendant's negligence, Plaintiff has sustained the following past and future damages:

- a. Physical Pain
- b. Mental Anguish;
- c. Physical Impairment; and
- d. Medical Care and Treatment.

VIII.

PRESERVING EVIDENCE

Plaintiff hereby requests and demands that Defendant preserve and maintain all evidence pertaining to any claim or defense relate to the incident made the basis of this lawsuit or the damages resulting there from, including statements, photographs, videotapes, audiotapes, surveillance or security tapes or information, business or medical records, incident reports, insurance statements, claim files, periodic reports, financial statements, bills, telephone call slips/logs, invoices, checks, correspondence, facsimiles, email, voicemail, text messages, and any evidence involving the incident in question. Failure to maintain such items will constitute "spoliation" of the evidence.

IX.

RULE 193.7 NOTICE

Defendant is hereby notified that Plaintiff intends to use all documents produced by Defendant in discovery at the trial of this cause,


X.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, requests that Defendant be cited to appear and answer herein, and that upon final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an amount within the jurisdictional limits of the court, together with pre-judgment interest at the maximum rate allowed by law, post-judgment interest at the legal rate, costs of court, and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

CROCKETT LAW, PC

By:  _____

Richard P. Hill

State Bar No. 09651400

Virtual Mail Room

2501A Central Parkway, Suite A-11

Houston, Texas 77092

(281) 953-1180 Telephone

(281) 953-1186 Facsimile

richard@crockett.law

efile@crockett.law

ATTORNEYS FOR THE PLAINTIFF

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Carmen Scott on behalf of Richard Pilcher Hill

Bar No. 9651400

carmen@crockett.law

Envelope ID: 92814834

Filing Code Description: Petition

Filing Description:

Status as of 10/7/2024 11:52 AM CST

Associated Case Party: Veronica Reyes

Name	BarNumber	Email	TimestampSubmitted	Status
Richard P.Hill		richard@crockett.law	10/4/2024 2:50:18 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Carmen Scott		carmen@crockett.law	10/4/2024 2:50:18 PM	SENT